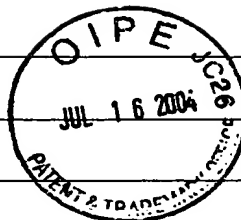


Application Number: 09/081,737
Filing Date: 05/19/1998
First Named Inventor: Liu, Q.
Group Art Unit: 1653
Examiner Name: K. C. Carlson, Ph.D.
Attorney Docket Number: 19959Y



FIRST CLASS MAIL CERTIFICATE

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450, ON THE DATE APPEARING BELOW.

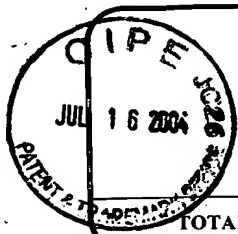
MERCK & CO., INC.

MAILED BY

Kathy Kravitz

DATE

7/14/04



FEE TRANSMITTAL

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

\$770

Complete if Known

| | |
|------------------------|----------------------|
| Application Number | 09/081,737 |
| Filing Date | May 19, 1998 |
| First Named Inventor | Liu, Q. |
| Examiner Name | K. C. Carlson, Ph.D. |
| Group Art Unit | 1653 |
| Attorney Docket Number | 19959Y |

METHOD OF PAYMENT

☒ Deposit Account

Deposit Account
Number

13-2755

Deposit Account
Name

Merck & Co., Inc.

The Director is authorized to:

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

FEE CALCULATION

1. BASIC FILING FEE

| Large Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------------|-----------------------|------------------------|----------|
| 1001 | 770 | Utility filing fee | |
| 1002 | 340 | Design filing fee | |
| 1004 | 770 | Reissue filing fee | |
| 1005 | 160 | Provisional filing fee | |

SUBTOTAL(1) \$0

2. EXTRA CLAIM FEES

| | Extra | Fee from below | Fee Paid |
|---------------------------|---------|-------------------|----------|
| Total Claims | 20 ** = | 0 x \$18 = | 0 |
| Independent Claims | 3 ** = | 0 x \$86 = | 0 |
| Multiple Dependent Claims | | \$290 = | |

**or number previously paid, if greater; For Reissues, see below

| Large Fee Code | Entity Fee (\$) | Fee Description |
|----------------------|-----------------------|---|
| 1202 | 18 | Claims in excess of 20 |
| 1201 | 86 | Independent claims in excess of 3 |
| 1203 | 290 | Multiple dependent claim, if not paid |
| 1204 | 86 | **Reissue independent claims over original patent |
| 1205 | 18 | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL(2) \$0

3. ADDITIONAL FEES

| Fee Code | Large Entity Fee (\$) | Fee Description | Fee Paid |
|---------------------|--------------------------------|--|----------|
| 1051 | 130 | Surcharge - late filing fee or oath | |
| 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 1251 | 110 | Extension for reply within first month | |
| 1252 | 420 | Extension for reply within second month | |
| 1253 | 950 | Extension for reply within third month | |
| 1254 | 1,480 | Extension for reply within fourth month | |
| 1255 | 2,010 | Extension for reply within fifth month | |
| 1401 | 330 | Notice of Appeal | |
| 1402 | 330 | Filing a brief in support of an appeal | |
| 1403 | 290 | Request for oral hearing | |
| 1452 | 110 | Petition to revive - unavoidable | |
| 1453 | 1,330 | Petition to revive - unintentional | |
| 1501 | 1,330 | Utility issue fee (or reissue) | |
| 1502 | 480 | Design issue fee | |
| 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | Submission of Information Disclosure Statement | |
| 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 770 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 770 | Request for Continued Examination (RCE) | 770 |
| Other fee (specify) | | | |
| Other fee (specify) | | | |
| SUBTOTAL(3) | | | \$770 |

SUBMITTED BY

Typed or Printed
Name

Yang Xu

Signature

Yang Xu

Date

07/14/2004

Complete (if applicable)

Reg. Number 45,243

Deposit
Account
User ID

IN DUPLICATE



RCE/1653
PTO/SB/30 (08-03)
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
93

Approved for use through 07/31/2006. OMB 0651-0031
SUBSTITUTE for PTO/SB/30 (08-03), REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

| | |
|------------------------|----------------------|
| Application Number | 09/081,737 |
| Filing Date | May 19, 1998 |
| First Named Inventor | Liu, Q. |
| Group Art Unit | 1653 |
| Examiner Name | K. C. Carlson, Ph.D. |
| Attorney Docket Number | 19959Y |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 C.F.R. § 1.114.** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS) - Supplemental
- iv. ☒ Return Receipt Postcard (itemized)
- v. ☐ Other _____
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____
3. **Fees**
- ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. **13-2755**
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. § 1.136 and 1.17)
- iii. ☐ Other _____

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|---------|------------------|---------------|
| Name (Print/Type) | Yang Xu | Registration No. | 45,243 |
| Signature | | Date | July 14, 2004 |

NOTE: SEND TO MAIL STOP RCE

CERTIFICATE OF MAILING OR FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

| | | | |
|-------------------|------------------|------|---------|
| Name (Print/Type) | KathyAnn Krajcik | | |
| Signature | | Date | 7/14/04 |

07/19/2004 HRL111 00000072 132755 09081737
01 FC:1801 770.00 DA

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

KathyAnn Krajcik
Name

Signature

Date

7/14/04

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Liu and Chen

Serial No.: 09/081,737

Case No.: 19959Y

Art Unit: 1653

Filed: May 19, 1998

For: HUMAN UNCOUPLING PROTEIN 3

Examiner:

K. C. Carlson, Ph.D.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

In response to the Notice of Allowance mailed April 15, 2004, please consider Request for Continued Examination (RCE) and Information Disclosure Statement (IDS). The Commissioner is hereby authorized to charge the fee to Deposit Account No. 13-2755.

Allowance of claims 1-9, and 16-19 is earnestly solicited.

Respectfully submitted,

By

Yang Xu, Ph.D.

Reg. No. 45,243

Attorney for Applicant

MERCK & CO., INC.

P.O. Box 2000

Rahway, New Jersey 07065-0907

(732) 594-1307

(732) 594-4720 (Fax)

Date: July 14, 2004